

Form PTO-1390US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  
(Rev. 5-93)

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NO. **C 2609 PCT/US**

U.S. APPLICATION NO. (if known sec. 17 CFR 1.5)

**10/511633**

INTERNATIONAL APPLICATION NO.  
**PCT/EP03/03711**

INTERNATIONAL FILING DATE  
**April 10, 2003**

PRIORITY DATE CLAIMED  
**April 19, 2002**

TITLE OF INVENTION

**SUN PROTECTING EMULSION PROVIDED WITH A FOAM DISPENSER**

APPLICANT(S) FOR DO/EO/US

**Rolf Kawa, Peter Finkel, Hannelore Merheim, and Sylvia Henig**

Applicant herewith submits to the United States Designated/Elected Office (EO/DO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
  2. ☐ This a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
  3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39 (1).
  4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
  5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
    - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
    - b. ☒ has been transmitted by the International Bureau.
    - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
  6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
  7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
    - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
    - b. ☐ have been transmitted by the International Bureau.
    - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
    - d. ☒ have not been made and will not be made.
  8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
  9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (UNEXECUTED)
  10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11. to 16. below concern other document(s) or information included:**
11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
  12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
  13. ☒ A FIRST preliminary amendment  
☐ A SECOND or SUBSEQUENT preliminary amendment.
  14. ☐ A substitute specification.
  15. ☐ A change of power of attorney and/or address letter.
  16. ☒ Other items or information.:

International Search Report (With Information Disclosure Citation and References)

"Express Mail" mailing label number EV530260008US

U.S. Application No. (If known see CFR 1.30) <b>10/511633</b>		INTERNATIONAL APPLICATION NO. <b>PCT/EP03/03711</b>		ATTORNEY'S DOCKET NUMBER <b>C 2609 PCT/US</b>	
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17. ■ The following fees are submitted: <b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b> Search Report has been prepared by the EPO or JPO..... <b>\$950.00</b>  International preliminary examination fee paid to USPTO (37CFR 1.482) ..... <b>\$750.00</b>  No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37CFR 1.445(a)(2))..... <b>\$770.00</b>  Neither international preliminary examination fee (37CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO. <b>\$1080.00</b>  International preliminary examination fee paid to USPTO (37CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)..... <b>\$140.00</b>  <b>ENTER APPROPRIATE BASIC FEE AMOUNT=</b>				CALCULATIONS      PTO USE ONLY		
				\$	950	00
Surcharge of \$130.00 for furnishing the oath or declaration later than ~ 20 ~ 30 months from the earliest claimed priority date 37 (CFR 1.492(e)).				\$		
Claims	Number filed	Number Extra	Rate			
Total Claims	21 - 20 =	1	X 18.00	\$	18	00
Independent Claims	3 - 3 =	0	X 88.00	\$	0	00
Multiple dependent claims (s)(if applicable)			0	+ 280.00	\$	0
<b>TOTAL OF ABOVE CALCULATIONS</b>				\$	968	00
Reduction by 2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$		
<b>SUBTOTAL=</b>				\$	968	00
Processing fee of \$130.00 for furnishing the English translation later the ~ 20 ~ 30 months from the earliest claimed priority date (37CFR 1.492(f)). .....				\$		
<b>TOTAL NATIONAL FEE=</b>				\$	968	00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$		
<b>TOTAL FEES ENCLOSED=</b>				\$	968	00
				Amount to be: refunded	\$-----	
				charged	968.00	

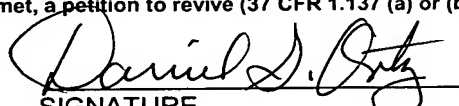
a. ~ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.

b. ■ Please charge my Deposit Account No. 50-1177 in the amount of **\$ 968.00** to cover the above fees.  
 A triplicate copy of this sheet is enclosed. Order No. 04-0477.

c. ■ The Assistant Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
 overpayment to Deposit Account No. 50-1177. A triplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b))  
 must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO: Customer Number 23657

  
 SIGNATURE  
  
 Daniel S. Ortiz  
 NAME ATTORNEY FOR APPLICANT  
 25,123  
 REGISTRATION NUMBER